

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

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UNITED STATES OF AMERICA,
Plaintiff,

v.

THE GREENVILLE RANCHERIA OF
MAIDU INDIANS OF CALIFORNIA,
Defendant.

No. 2:21-cv-00662 WBS KJN

ORDER RE: MOTION FOR LEAVE TO
FILE A THIRD-PARTY COMPLAINT

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Before the court is the motion of defendant Greenville Rancheria of Maidu Indians of California ("Rancheria") for leave to file a third-party complaint pursuant to Federal Rule of Civil Procedure 14(a). (Docket No. 12.)

Federal Rule of Civil Procedure 14(a) provides in pertinent part:

A defending party may, as third-party plaintiff, serve a summons and complaint on a nonparty who is or may be liable to it for all or part of the claim against it. But the third-party plaintiff must, by motion, obtain the court's leave if it files the third-party


1 complaint more than 14 days after serving its original
2 answer.

3 Fed. R. Civ. P. 14(a)(1). The decision whether to implead a
4 third-party defendant is addressed to the sound discretion of the
5 trial court. Sw. Adm'rs, Inc. v. Rozay's Transfer, 791 F.2d 769,
6 777 (9th Cir. 1986).

7 Rancheria notes that it and plaintiff have stipulated
8 to the filing of a third-party complaint. (See Stipulation
9 (Docket No. 13-1)). Plaintiff has also filed a statement of non-
10 opposition. (Docket No. 16.) Under these circumstances, the
11 court concludes that granting Rancheria's motion is appropriate.

12 IT IS THEREFORE ORDERED that defendant Rancheria's
13 motion for leave to file a third-party complaint be, and the same
14 hereby is, GRANTED.

15 Dated: March 22, 2022


16 WILLIAM B. SHUBB
17 UNITED STATES DISTRICT JUDGE
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